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# U.S. Loses Bid to Oust Nazi Suspect Laipenieks

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**SAN DIEGO—A federal appeals court on Wednesday rejected long-time U.S. attempts to deport accused war criminal and former CIA employee Edgars Laipenieks of La Jolla, a Latvian who admitted beating communists while working for Nazi occupation forces during World War II.**

The U.S. 9th Circuit Court of Appeals ruled 2 to 1 that U.S. Justice Department officials failed to prove allegations that Laipenieks, 71, persecuted Jews and political prisoners held at the infamous Riga Central Prison in Latvia.

According to the court, evidence showed that Laipenieks persecuted only communists while working as an investigator for the Latvian Political Police, a Nazi puppet organization.

"They said I was responsible for killing 60,000 Jews," Laipenieks told *The Times* in an interview Wednesday. "My God, I never had anything to do with the Jews. I was in the Latvian Political Police, like the FBI or CIA, tracing Russian and communist killers. That was my only job."

He said he is employed today as a security guard, living in a trailer on a construction site in La Jolla.

## Deportation Hearing

The Justice Department's Office of Special Investigations in June, 1981, sued to have Laipenieks expelled from the country, claiming that he had concealed his role as head jailer at the Riga prison during World War II. Witnesses who testified in 1982 at a deportation hearing in San Diego said Laipenieks was responsible for ordering the execution there of at least 200 prisoners from 1941 to 1943.

Former prisoners and people still living in Riga, Latvia, which is now part of the Soviet Union, were among those who testified in person and via tape recordings during the hearing.

Laipenieks admitted during the hearing that he "roughed up" a few communist prisoners after being recruited by the Nazis, but denied seriously hurting or killing anyone.

Before the war, Laipenieks had been a schoolteacher and a star athlete, competing in the 5,000-meter run at the 1936 Olympics in Berlin. He said he joined the invading Nazis after Russian troops murdered his parents and father-in-law.

After the war, he traveled to Chile, where he coached that country's Olympic track team. In 1960 he obtained a U.S. visa and became a physical education professor and coach at the University of Denver.

It was during that time that Laipenieks said he was first contacted by the CIA, which was seeking information about communists in Latvia.

In 1968, he came to California to coach track at La Jolla Country Day School and applied for U.S. citizenship in 1973. His application, he was told, was rejected because his name was on a list of 37 alleged war criminals living in the United States.

A federal law provides for deportation of aliens who took part in the persecution of any person because of race, religion, national origin or political opinion in collaboration with a government in German-occupied territory between 1933 and 1944.

According to the Court of Appeals' majority opinion written by Judge Thomas Tang, the government failed to prove that Laipenieks had persecuted people solely because of their political opinions.

"While we certainly do not condone the treatment that prisoners apparently received at the (Riga) prison, we do not find Laipenieks' admission (that he occasionally struck prisoners) sufficient to support deportability," Tang wrote.

Tang, joined by Judge Robert Beezer, rejected written statements from nine Soviet witnesses, saying that their depositions against Laipenieks may have been written in the Soviet Union under "intimidating" circumstances.

But dissenting Judge Robert Boochever said the court should have deferred to earlier findings of the Board of Immigration Appeals, which ruled that the Soviets had been imprisoned solely on the basis of their beliefs.

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